

Substitute for form 1449/PTO

PTO/SB/08A (07-05)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet

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Complete if Known

Application Number	10/729,356
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Filing Date	12/05/03
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First Named Inventor	Hickman
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Art Unit	3764
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Examiner Name	Richman, Glenn
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Attorney Docket Number	CYBRP001.US04
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U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
A		US- 3518985	02-15-1968	Quinton	
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FOREIGN PATENT DOCUMENTS

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Sheet 2 of 10**Complete if Known**

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		US- 6497638	12-24-2002	Shea	
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NON PATENT LITERATURE DOCUMENTS

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Examiner Signature	Glenn Richman	Date Considered	11/26/07
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
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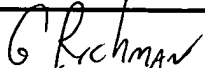
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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)	Application Number	10/729,356
	Filing Date	12/05/03
	First Named Inventor	Hickman
	Art Unit	3764
	Examiner Name	Richman, Glenn
Sheet 9 of 10	Attorney Docket Number	CYBRP001.US04

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
[Signature]		ICON HEALTH AND FITNESS INC, Photographs of various fitness equipment systems, 1989-1996	
		MADMOISELLE, www.IFIT.com, Madmoiselle, March 2000	
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[Signature]		ICON HEALTH AND FITNESS, INC'S PRELIMINARY INVALIDITY CONTENTIONS, US DIST. CT. EDTX, CASE 2:05-cv-527, 6/16/06	
[Signature]		ICON HEALTH AND FITNESS, INC'S SUPPLEMENTAL PRELIMINARY INVALIDITY CONTENTIONS, US DIST. CT. EDTX, CASE 2:05-cv-527, 6/23/06	

Examiner Signature	G. Richman	Date Considered	11/26/07
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**INFORMATION DISCLOSURE
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)	Application Number	10/729,356
	Filing Date	12/05/03
	First Named Inventor	Hickman
	Art Unit	3764
	Examiner Name	Richman, Glenn
Sheet 10 of 10	Attorney Docket Number	CYBRP001.US04

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
JS		DVD LABELED "ICON-CYB001" 881 PDF FILES 6/12/2006	
		CD-ROM LABELED "Supershow 2000", ICON-CYB 034309 Highlight Video 4/20/2006	
		CD-ROM LABELED "Supershow 1998", ICON-CYB 034310 Live Video Streaming from Logan Utah to Atlanta Georgia, 2/10/98	
↓		DVD LABELED "1998 Supershow Web Cast" ICON-CYB 034311 Raw video footage .. June 2006	
AL		CD-ROM LABELED "Steve Young Webcast", ICON-CYB 034312, Sales Meeting 2000, June 2006	

Examiner Signature G. Richman	Date Considered 11/26/07
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PTO/SB/08A (07-05)

Approved for use through 07/31/2009. OMB 0831-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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FAX RECEIVED

Application Number	10/729,358
Filing Date	June 25, 1988
First Named Inventor	Hickman
Art Unit	3764
Examiner Name	Richman, Glenn
Attorney Docket Number	CYBRP001.US04

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U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	Document Number Number/Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
M		US- 4542887	09-24-1985	Melton et al.	
		US- 4708837	11-24-1987	Baxter et al.	
		US- 4818234	04-04-1989	Redington et al.	
		US- 5407402	04-18-1995	Brown et al.	
		US- 5435799	07-25-1995	Lundin	
		US- 5482504	10-31-1995	Trulasko et al.	
		US- 5538486	07-23-1996	France et al.	
		US- 5584779	12-17-1998	Knecht et al.	
		US- 5867459	09-16-1997	Su	
		US- 5890852	11-25-1997	Saito et al.	
M		US- 5890906	04-06-1998	Macri et al.	
		US- 6066705	05-23-2000	Calderon et al.	
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			
		US-			

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Examiner Initials*	Cite No.	Foreign Patent Document Country Code ² Number ³ Kind Code ⁴ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁵

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Signature

G. Richman

Date
Considered

11/26/07

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Form PTO-148

Sheet 1 of 8

Applicant: R. L. Hickman
Serial No.: 10/729,356
Filing Date: December 5, 2003
Confirmation No.: 8257

Docket No.: 13914.74.1.3
Group: 3764

For: METHOD AND APPARATUS FOR REMOTE INTERACTIVE EXERCISE AND
HEALTH EQUIPMENT

INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANT

U.S. Patent Documents

<u>Examiner Initial*</u>	<u>Patent Number</u>	<u>Issue Date</u>	<u>Name</u>
<u>R</u>	A1. 3,602,502	8/31/71	Hampl
<u> </u>	A2. 4,112,928	9/12/78	Putsch
<u> </u>	A3. 4,151,988	5/1/79	Nabinger
<u> </u>	A4. 4,358,105	11/9/82	Sweeney, Jr.
<u> </u>	A5. 4,544,152	10/1/85	Taitel
<u> </u>	A6. 4,549,044	10/22/85	Durham
<u> </u>	A7. 4,571,682	2/18/86	Silverman, et al.
<u> </u>	A8. 4,659,074	4/21/87	Taitel, et al.
<u> </u>	A9. 4,642,769	2/10/87	Petrofsky
<u> </u>	A10. 4,687,195	8/18/87	Potts
<u> </u>	A11. 4,842,266	6/27/89	Sweeney, Sr., et al.
<u> </u>	A12. 4,848,737	7/18/89	Ehrenfield
<u> </u>	A13. 4,927,136	5/22/90	Leask
<u> </u>	A14. 4,938,474	07/03/90	Sweeney et al.

Examiner: R. L. HickmanDate Considered: 11/26/07

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Form PTO-1449

Sheet 2 of 8

Applicant: Paul L. Hickman
Serial No.: 10/729,356
Filing Date: December 5, 2003
Confirmation No.: 8257
For:

Docket No.: 13914.74.1.3
Group: 3764

METHOD AND APPARATUS FOR REMOTE INTERACTIVE EXERCISE AND
HEALTH EQUIPMENT

Examiner Initial*	Patent Number	Issue Date	Name
<u>JP</u> A15.	4,949,993	08/21/90	Stark et al.
<u> </u> A16.	4,959,713	9/25/90	Morotomi, et al.
<u> </u> A17.	5,054,774	10/8/91	Belsito
<u> </u> A18.	5,078,152	1/7/92	Bond, et al.
<u> </u> A19.	5,086,385	2/4/92	Launey, et al.
<u> </u> A20.	5,113,427	5/12/92	Ryoichi, et al.
<u> </u> A21.	5,145,475	9/8/92	Cares
<u> </u> A22.	5,195,935	3/23/93	Fencel
<u> </u> A23.	5,308,296	5/3/94	Eckstein
<u> </u> A24.	5,314,391	5/24/94	Potash, et al.
<u> </u> A25.	D348,493	7/5/94	Ashby
<u> </u> A26.	5,328,420	7/12/94	Allen
<u> </u> A27.	5,328,422	7/12/94	Nichols
<u> </u> A28.	5,352,166	10/4/94	Chang
<u>V</u> A29.	5,382,209	1/17/95	Pasier, et al.
<u>AL</u> A30.	5,387,164	2/7/95	Brown, Jr.

Examiner:

G. Richman

Date Considered:

11/26/07

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Sheet 3 of 88

Applicant: Paul L. Hickman
Serial No.: 10/729,356
Filing Date: December 5, 2003
Confirmation No.: 8257

Docket No.: 13914.74.1.3
Group: 3764

For: METHOD AND APPARATUS FOR REMOTE INTERACTIVE EXERCISE AND
HEALTH EQUIPMENT

Examiner Initial*	Patent Number	Issue Date	Name
<u>88</u>	A31. 5,433,679	7/18/95	Szymczak, et al.
<u> </u>	A32. 5,462,051	10/31/95	Oka, et al.
<u> </u>	A33. 5,535,664	7/16/96	Rokowski
<u> </u>	A34. 5,600,310	2/4/97	Whipple, III, et al.
<u> </u>	A35. 5,619,412	4/8/97	Hapka
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<u> </u>	A37. 5,626,539	5/6/97	Piaget, et al.
<u> </u>	A38. 5,697,834	12/16/97	Heumann, et al.
<u> </u>	A39. 5,720,771	2/24/98	Snell
<u> </u>	A40. 5,722,418	3/3/98	Bro
<u> </u>	A41. 5,738,612	4/14/98	Tsuda
<u> </u>	A42. 5,743,833	4/28/98	Watterson, et al.
<u> </u>	A43. 5,749,372	5/12/98	Allen, et al.
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Examiner: GRichmanDate Considered: 11/26/07

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Form PTO-1449

Sheet 4 of 88

Applicant:

Paul L. Hickman

Serial No.:

10/729,356

Filing Date:

December 5, 2003

Docket No.: 13914.74.1.3




Confirmation No.:

8257

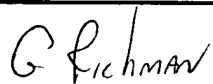
Group: 3764

For:

METHOD AND APPARATUS FOR REMOTE INTERACTIVE EXERCISE AND
HEALTH EQUIPMENT

Examiner Initial*	Patent Number	Issue Date	Name
 A47.	5,810,696	9/22/98	Webb
_____ A48.	5,845,230	12/1/98	Lamberson
_____ A49.	5,857,939	1/12/99	Kaufman
_____ A50.	5,865,733	2/2/99	Malinouskas, et al.
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_____ A52.	5,880,677	3/9/99	Lestician
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_____ A60.	5,947,869	9/7/99	Shea
 A61.	5,961,561	10/5/99	Wakefield, II
 A62.	5,964,701	10/12/99	Asada, et al.

Examiner:



Date Considered:

11/26/02

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Form PTO-1449

Sheet 5 of 5

Applicant: Paul L. Hickman
Serial No.: 10/729,356
Filing Date: December 5, 2003
Confirmation No.: 8257

Docket No.: 13914.74.1.3
Group: 3764

For: METHOD AND APPARATUS FOR REMOTE INTERACTIVE EXERCISE AND
HEALTH EQUIPMENT

Examiner Initial*	Patent Number	Issue Date	Name
<u> <i>PH</i> </u> A63.	5,967,975	10/19/99	Ridgeway
<u> </u> A64.	5,995,868	11/30/99	Dorfmeister, et al.
<u> </u> A65.	6,010,451	1/4/00	Clawson
<u> </u> A66.	6,013,007	1/11/00	Root, et al.
<u> </u> A67.	6,033,344	3/7/00	Trulaske, et al.
<u> </u> A68.	6,050,822	4/18/00	Faughn
<u> </u> A69.	6,053,737	4/25/00	Babbitt, et al.
<u> </u> A70.	6,059,692	5/9/00	Hickman
<u> </u> A71.	6,132,337	10/17/00	Krupka, et al.
<u> </u> A72.	6,152,854	11/28/00	Carmein
<u> </u> A73.	6,162,189	12/19/00	Girone et al.
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<u> </u> A76.	6,231,481	5/15/01	Brock
<u> <i>V</i> </u> A77.	6,231,482	5/15/01	Thompson
<u> <i>PH</i> </u> A78.	6,244,988	06/12/01	Delman

Examiner:

G. Richman

Date Considered:

11/26/07

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Form PTO-1449

Sheet 6 of 8

Applicant: Paul L. Hickman
Serial No.: 10/729,356
Filing Date: December 5, 2003
Confirmation No.: 8257

Docket No.: 13914.74.1.3
Group: 3764

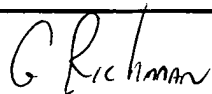
For: METHOD AND APPARATUS FOR REMOTE INTERACTIVE EXERCISE AND
HEALTH EQUIPMENT

Examiner Initial*	Patent Number	Issue Date	Name
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 A89.	6,749,537	06/15/04	Hickman
 A90.	6,808,472	10/26/04	Hickman

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Examiner Initial*	Document Number	Publication Date	Country or Patent Office	Translation
_____ A91.	WO 98/32496	7/30/98	PCT	

Examiner:



Date Considered:

11/26/07

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Form PTO-1449

Sheet 7 of 8

Applicant: Paul L. Hickman
Serial No.: 10/729,356
Filing Date: December 5, 2003
Confirmation No.: 8257

Docket No.: 13914.74.1.3
Group: 3764

For: METHOD AND APPARATUS FOR REMOTE INTERACTIVE EXERCISE AND HEALTH EQUIPMENT

Other Documents

(including author, title, pertinent pages, etc.)

Examiner

Initial*

- A92. *The FitLinxx Interactive Fitness Network™, Integrated Fitness Corp., brochure, 1998.*
- A93. *Fitlinxx Interactive Fitness Network™, The Difference Between Surviving and Thriving May be as Simple as FitLinxx™, Integrated Fitness Corp., brochure, 1998.*
- A94. *Forbes.com: Sweat equity, www.forbes.com, February 1998.*
- A95. *Netpulse, Networkingout--Coming Distractions: Netpulse Helps Exercisers Surf the Net at the Gym, Accomplish Several Goals at Once, www.netpulse.com, April 1998.*
- A96. *Netpulse, Instead of having an equipment repair technician traveling over hill and dale, you may soon have equipment repaired via the internet, www.netpulse.com, July 1998.*
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- A98. *Netpulse, Exercise station connects to the Net, Now you can sweat to the Net., www.netpulse.com, September 1998.*
- A99. *Netpulse, New Fitness Equipment Combines Internet, Sweat, Now you can surf and sweat, www.netpulse.com, January 1999.*

Examiner:

G. Richman

Date Considered:

11/26/07

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Form PTO-1449

Sheet 8 of 8

Applicant: Paul L. Hickman
Serial No.: 10/729,356
Filing Date: December 5, 2003
Confirmation No.: 8257

Docket No.: 13914.74.1.3
Group: 3764

For: METHOD AND APPARATUS FOR REMOTE INTERACTIVE EXERCISE AND HEALTH EQUIPMENT

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- [Handwritten mark]* A100. Netpulse, Hop In, Log On and Sweat, *Netpulse exercise machines are the latest Web feat*, www.netpulse.com, February 1999.
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- A105. *Exergaming*, en.wikipedia.org, printed October 1, 2007 (4 pages).
- A106. *WIRED*, www.wired.com, issue 2.09, September 1994 (4 pages).
- [Handwritten mark]* A107. "Defendant's Amended Invalidity Contentions," Case No. 2:05-cv-527, signed by Kirk Harris on March 16, 2007 (15 pages).
- [Handwritten mark]* A108. "Expert Report of Dr. Brent Nelson Pursuant to Federal Rule of Civil Procedure 26(a)(2)(B)," dated March 13, 2007 (372 pages).

References Cited by Applicants

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation

Examiner: *Q. Richman*

Date Considered: *11/26/07*

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